

41
Docket Number: 098501-0217506
Client Reference: 93-116 PH

1645
PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of

ENGEL et al.

Group Art Unit: 1645

Application No.: 08/468,145

Examiner: N. MINNIFIELD

Filed: June 6, 1995

Confirmation No.: 4889

For: OLIGOPEPTIDE LYOPHILISATE, THEIR PREPARATION AND USE

April 7, 2004

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR 1.56, the attention of the Patent and Trademark Office is hereby directed to the reference(s) listed on the attached PTO-1449. Unless otherwise indicated herein, one copy of each reference is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom. Applicants respectfully request the Examiner return an initialed copy of the enclosed Form PTO-1449 to Applicants with the next Office communication to indicate that the reference(s) has been considered, per MPEP § 609.

The references were cited in a counterpart foreign application. An English language version of the foreign search reports are attached for the Examiner's information.

EP 0 299 402 corresponds to US 5,198,533 (previously cited);
JP 05-000963 corresponds to WO 91/16038;
JP 61-087695 corresponds to EP 0 175 506 (previously cited);
JP 63-201199 corresponds to EP 0 277 829; and
JP 64-034997 corresponds to US 4,800,191 (previously cited).

04/08/2004 CCHAUI 00000066 033975 08468145

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ENGEL et al. - 08/468,145
Attorney Docket: 098501-0217506

Please charge Deposit Account 033975 in the amount of \$180.00 in payment of the fee under 37 CFR 1.17(p). Please credit or debit Deposit Account 033975 as needed to ensure consideration of the disclosed information.

Respectfully submitted,

PILLSBURY WINTHROP LLP



Thomas A. Cawley, Jr., Ph.D.
Reg. No. 40944

TAC/smm
P.O. Box 10500
McLean, VA 22102
Telephone: (703) 905-2000
Facsimile: (703) 905-2500
Customer Number: 00909

FORM PTO-1449 (modified)
To: U.S. Department of Commerce
(PW FORM PAT-1449)
Patent and Trademark Office

Atty.
Dkt. No.

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Client Ref.

217506

93 116 PH

**INFORMATION DISCLOSURE STATEMENT
BY APPLICANT**

Applicant: ENGEL et al.

Appln. No.: 08/468,145

Filing Date: June 6, 1995

Examiner: N. MINNIFIELD Group Art Unit: 1645

Date: April 7, 2004

APR 07 2004

Page

1

of

1

U.S. PATENT DOCUMENTS

Examiner's Initials*	Document Number	Date MM/YYYY	Name (Family Name of First Inventor)	Class	Sub Class	Filing Date (if appropriate)
	AR					

FOREIGN PATENT DOCUMENTS

		Document Number	Date MM/YYYY	Country	Inventor Name	English Abstract		Translation Readily Available	
						Enclosed	No	Enclose	No
	BR	EP 0 268 066	05/1988	Europe	Vickery				
	CR	EP 0 277 829	08/1988	Europe	Nestor et al.				
	DR	EP 0 299 402	01/1989	Europe	Schally et al.				
	ER	JP 05-000963	10/1991	Japan	Utsumi et al.				
	FR	JP 61-87695	05/1986	Japan	Vale et al.				
	GR	JP 63-201199	08/1988	Japan	Nestor et al.				
	HR	JP 64-034997	06/1999	Japan					
	IR	WO 91/13092	09/1991	WIPO	Aurell et al.				
	JR	WO 91/16038	10/1991	WIPO	Utsumi et al.				
	KR	WO 91/19743	12/1991	WIPO	Hodgen				
	LR								

OTHER (Including in this order Author, Title, Periodical Name, Date, Pertinent Pages, etc.)

MR	Kamischke et al., "Gonadal Protection from Radiation by GnRH Antagonist or Recombinant Human FSH: A Controlled Trial in a Male Nonhuman Primate (<i>Macaca fascicularis</i>)," <i>Journal of Endocrinology</i> , Vol. 179, pp. 183-194, 2003.				
NR	Karashima et al., "Protective Effects of Analogs of Luteinizing Hormone-Releasing Hormone Against Chemotherapy-Induced Testicular Damage in Rats," <i>Proc. National Academy of Sciences</i> , Vol. 85, April 1988, pp. 2329-2333.				
OR	Schally et al., "Protective Effects of Analogs of Luteinizing Hormone-Releasing Hormone Against X-Radiation-Induced Testicular Damage in Rats," <i>Proc. National Academy of Sciences</i> , Vol. 84, February 1987, pp. 851-855.				
PR	Schally et al., "Current Concept for Improving Treatment of Prostate Cancer Based on Combination of LH-RH Agonists with Other Agents," <i>Prostate Cancer, Part A: Research, Endocrine Treatment, and Histopathology</i> , 1987, pp. 173-197.				
QR	Schally et al., "Antitumor Effects of Analogs of Hypothalamic Hormones in Endocrine-Dependent Cancers," <i>Proceedings of the Society for Experimental Biology and Medicine</i> , Vol. 175, 1984, pp. 259-281.				
RR	Szende et al., "Suppression of Meiosis of Male Germ Cells by an Antagonist of Luteinizing Hormone-Releasing Hormone," <i>Proc. National Academy of Sciences</i> , Vol. 87, February 1990, pp. 901-903.				
SR	Yoshikazu et al., "Peptide and Antidementia Agent Containing the Same," JP2273699, November 8, 1990, Abstract only.				

Examiner

Date Considered:

*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.



P.B.5818 - Patentlaan 2
2280 HV Rijswijk (ZH)
☎ +31 70 340 2040
TX 31651 epo nl
FAX +31 70 340 3016

Europäisches Patentamt

Zweigstelle
in Den Haag
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European Patent Office

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Département à
La Haye
Division de la
recherche

Zentaris GmbH
Meissner Strasse 35
01445 Radebeul
ALLEMAGNE

*European
partial search
report*

EINGEGANGEN

11. FEB. 2004

Patente / Marken

Datum/Date

11.02.04

Zeichen/Ref./Réf.

EP93 116 PH/1/D

Anmeldung Nr./Application No./Demande n°/Patent Nr./Patent No./Brevet n°.

99102340.9-1216-

Anmelder/Applicant/Demandeur/Patentinhaber/Proprietor/Titulaire

Zentaris GmbH

MITTEILUNG

Das Europäische Patentamt übermittelt beiliegend den europäischen Recherchenbericht zu der obengenannten europäischen Patentanmeldung.

Wenn zutreffend, Kopien der im Recherchenbericht aufgeführten Schriften sind beigelegt.

☐ Zusätzliche Kopie(n) der im europäischen Recherchenbericht angeführten Schriftstücke sind beigelegt.

Die folgenden Angaben des Anmelders wurden von der Recherchenabteilung genehmigt:

☒ Zusammenfassung

☐ Bezeichnung

☐ Die Zusammenfassung wurde von der Recherchenabteilung abgeändert und der endgültige Wortlaut ist dieser Mitteilung beigelegt.

Die folgende Abbildung wird mit der Zusammenfassung veröffentlicht: KEINE



RÜCKERSTATTUNG DER RECHERCHENGEBÜHR

Falls Artikel 10 der Gebührenordnung in Anwendung kommt, ergeht noch eine gesonderte Mitteilung der Eingangsstelle hinsichtlich der Rückerstattung der Recherchegebühr.



Europäisches
Patentamt

EUROPÄISCHER TEILRECHERCHENBERICHT

der nach Regel 45 des Europäischen Patent-
übereinkommens für das weitere Verfahren als
europäischer Recherchenbericht gilt

Nummer der Anmeldung

EP 99 10 2340

EINSCHLÄGIGE DOKUMENTE			
Kategorie	Kennzeichnung des Dokuments mit Angabe, soweit erforderlich der maßgeblichen Teile	Betrifft Anspruch	KLASSIFIKATION DER ANMELDUNG (Int.Cl.7)
X	SZENDE B ET AL: "Suppression of meiosis of male germ cells by an antagonist of luteinizing hormone-releasing hormone." PROCEEDINGS OF THE NATIONAL ACADEMY OF SCIENCES OF THE UNITED STATES OF AMERICA. UNITED STATES FEB 1990, Bd. 87, Nr. 3, Februar 1990 (1990-02), Seiten 901-903, XP001156025 ISSN: 0027-8424 * Zusammenfassung * * Seite 903, Spalte 2 * ---	1,2,5	A61K38/09
X,D	EP 0 299 402 A (ASTA PHARMA AG) 18. Januar 1989 (1989-01-18)	1-5	
Y	* Seite 9, Zeile 19-22 * * Seite 18, Zeile 19,20; Beispiele 26,27,32,34 * --- -/--	1-5	
			RECHERCHIERTE SACHGEBIETE (Int.Cl.7)
			A61K
UNVOLLSTÄNDIGE RECHERCHE			
<p>Die Recherchenabteilung ist der Auffassung, daß ein oder mehrere Ansprüche, den Vorschriften des EPÜ in einem solchen Umfang nicht entspricht bzw. entsprechen, daß sinnvolle Ermittlungen über den Stand der Technik für diese Ansprüche nicht, bzw. nur teilweise, möglich sind.</p> <p>Vollständig recherchierte Patentansprüche:</p> <p>Unvollständig recherchierte Patentansprüche:</p> <p>Nicht recherchierte Patentansprüche:</p> <p>Grund für die Beschränkung der Recherche:</p> <p>Obwohl die Ansprüche 3-5 sich auf ein Verfahren zur Behandlung des menschlichen/tierischen Körpers beziehen (Artikel 52(4) EPÜ), wurde die Recherche durchgeführt und gründete sich auf die angeführten Wirkungen der Verbindung/Zusammensetzung.</p>			
Recherchenort		Abschlußdatum der Recherche	
DEN HAAG		7. Januar 2004	
Prüfer		Gonzalez Ramon, N	
KATEGORIE DER GENANNTEN DOKUMENTEN			
<p>X : von besonderer Bedeutung allein betrachtet Y : von besonderer Bedeutung in Verbindung mit einer anderen Veröffentlichung derselben Kategorie A : technologischer Hintergrund O : mündliche Offenbarung P : Zwischenliteratur</p> <p>T : der Erfindung zugrunde liegende Theorien oder Grundsätze E : älteres Patentdokument, das jedoch erst am oder nach dem Anmeldedatum veröffentlicht worden ist D : in der Anmeldung angeführtes Dokument L : aus anderen Gründen angeführtes Dokument</p> <p>& : Mitglied der gleichen Patentfamilie, übereinstimmendes Dokument</p>			

2

EPO FORM 1503 03.82 (P04C09)



EINSCHLÄGIGE DOKUMENTE			KLASSIFIKATION DER ANMELDUNG (Int.Cl.7)
Kategorie	Kennzeichnung des Dokuments mit Angabe, soweit erforderlich der maßgeblichen Teile	Betrifft Anspruch	
Y	SCHALLY A. V. ET AL: "Protective effects of analogs of luteinizing hormone-releasing hormone against x-radiation-induced testicular damage in rats" PROC. NATL. ACAD. SCI. USA, Bd. 84, Februar 1987 (1987-02), Seiten 851-855, XP001157014 siehe discussion * Zusammenfassung *	2,5	
Y	KARASHIMA T. ET AL: "Protective effects of analogs of luteinizing hormone-releasing hormone against chemotherapy-induced testicular damage in rats" PROC. NATL. ACAD. SCI. USA, Bd. 85, April 1988 (1988-04), Seiten 2329-2333, XP001157013 siehe discussion * Zusammenfassung *	2,5	
A	EP 0 268 066 A (SYNTEX INC) 25. Mai 1988 (1988-05-25) * Zusammenfassung; Beispiele 10,11 *	1-5	RECHERCHIERTE SACHGEBIETE (Int.Cl.7)
Y	DD 141 996 A (TSCHAUSCHEV PETER;WOLF INGRID; SCHNEIDER ANITA) 4. Juni 1980 (1980-06-04) * Zusammenfassung; Anspruch 1; Beispiel 1 *	1-3	
Y	WO 91 19743 A (APPLIED RESEARCH SYSTEMS) 26. Dezember 1991 (1991-12-26) * Zusammenfassung; Anspruch 1 *	4	
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EINSCHLÄGIGE DOKUMENTE			KLASSIFIKATION DER ANMELDUNG (Int.Cl.7)
Kategorie	Kennzeichnung des Dokuments mit Angabe, soweit erforderlich der maßgeblichen Teile	Betrifft Anspruch	
T	KAMISHKE A. ET AL: "Gonadal protection from radiation by GnRH antagonist or recombinant human FSH: a controlled trial in a male nonhuman primate (Macaca fascicularis)" J. ENDOCRINOLOGY, Bd. 179, 2003, Seiten 183-194, XP008026059 * Seite 184, Spalte 2 * * Seite 190, Spalte 1 * * Seite 192, Absatz 3 * -----	1-5	
			RECHERCHIERTE SACHGEBIETE (Int.Cl.7)

ANHANG ZUM EUROPÄISCHEN RECHERCHENBERICHT ÜBER DIE EUROPÄISCHE PATENTANMELDUNG NR.

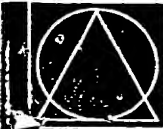
EP 99 10 2340

In diesem Anhang sind die Mitglieder der Patentfamilien der im obengenannten europäischen Recherchenbericht angeführten Patentedokumente angegeben.
Die Angaben über die Familienmitglieder entsprechen dem Stand der Datei des Europäischen Patentamts am
Diese Angaben dienen nur zur Unterrichtung und erfolgen ohne Gewähr.

07-01-2004

Im Recherchenbericht angeführtes Patentedokument		Datum der Veröffentlichung	Mitglied(er) der Patentfamilie		Datum der Veröffentlichung
EP 0299402	A	18-01-1989	US	4800191 A	24-01-1989
			AT	90362 T	15-06-1993
			BR	1100478 A3	14-03-2000
			CA	1339623 C	06-01-1998
			DE	3823590 A1	26-01-1989
			DE	3881592 D1	15-07-1993
			DK	395688 A	18-01-1989
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			ES	2054741 T3	16-08-1994
			FI	883388 A ,B,	18-01-1989
			FI	933629 A	17-08-1993
			HK	21194 A	18-03-1994
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			LU	90425 A9	04-10-1999
			LV	5795 A4	20-02-1997
			PT	87998 A ,B	30-06-1989
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			US	5198533 A	30-03-1993
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			DE	69107306 T2	08-06-1995
			DK	536203 T3	10-04-1995
			EP	0536203 A1	14-04-1993
			ES	2067940 T3	01-04-1995
			JP	5507493 T	28-10-1993
			WO	9119743 A2	26-12-1991

EPO FORM P0481



PATENTSTYRET®

Styret for det industrielle rettsvern

• TIL: Zacco Norway AS
• Postboks 765 Sentrum
• 0106 Oslo
• YR

TIL: Zacco Norway AS
Postboks 765 Sentrum
0106 Oslo

TELEFON SAKSBEH.:
22387516

VÅR REF.:
19940564/A61K/KL

DERES REF.:
MB/TB C59787

DATO (AAAA.MM.DD):
2003 -04- 0 8

Svarfrist¹ : 4 måneder fra dato
Patentsøker : Zentaris AG

UTTALELSE VEDRØRENDE PATENTSØKNAD 1994 0564 (må oppgis ved svar)

Vi viser til svar og nytt kravsett fra søker mottatt 9. januar 2003, hvor kravene 1-6 er endret i samsvar med saksbehandlers kommentarer, og nå kan anses som patenterbare, jf. PL §2.

Søker har derimot ikke svart på våre uttalelser vedrørende krav 8 (tidligere krav 9), hvor vi mener at legemiddelet for beskyttelse av kjønnskjerter ikke innehar nyhet. Vi har nå vurdert dette punktet på nytt, og funnet to nye mothold, D7 og D8.

Resultat av nyhetsgranskning

D7: A.V. Schally et al., 1987, Prostate Cancer: Research Endocrine Treatment and Histopathology, eds. Murphy et al. (Liss, New York), s. 173-197

D8: A.V. Schally et al., 1984, Proc. Soc. Exp. Biol. Med., vol. 175, s. 259-281

Vurdering av patenterbarhet

I D7 sies det at antagonistiske LHRH analoger kan benyttes for hemming av prostata carcinomer. Dette skyldes sannsynligvis undertrykking av plasmakonsentrasjonen til testosteron, men LHRH analogene kan også virke direkte på tumorene. Forsøk på rotter viser at behandling med LHRH antagonister reduserer veksten til tumorene sammenlignet med kontrollene. LHRH antagonister virker også forstyrrende på menstruasjonssyklusen, og hemmer eggøsning hos kvinner.

POSTADRESSE
► Postboks 8160 Dep.
0033 Oslo

BESØKSADRESSE
► Københavngaten 10

TELEFON
► +47 22 38 73 00

INFOSENTER
► +47 22 38 73 33

TELEFAKS
► +47 22 38 73 01

E-POST
► mail@patentstyret.no

INTERNETT
► www.patentstyret.no

BANKGIRO
► 8276 01 00192

ORGANISASJONSNUMMER
► 971526157 MVA

¹ Svar må være innkommet til Patentstyret senest fristens siste dag. Unnlater søkeren å avgi uttalelse eller foreta handling for rettelse av anmerket mangel innen fristens utløp, vil søknaden bli henlagt, dog med mulighet for gjenopptagelse, jf patentlovens § 15 og avgiftsforskriftens § 15.

Ytterligere opplysninger finnes i "Forskrift om innlevering av dokument og betaling av avgift til Styret for det industrielle rettsvern". Denne kan fås ved henvendelse til postekspedisjonen i Patentstyret.

D8 tar også for seg virkningene av LHRH antagonister, som forstyrrer menstruasjonssyklusen og hemmer eggløsning, samt forhindrer økning av LH og FSH hormonene ved kirurgisk uttak av egg hos kvinner. Videre reduseres tumorstørrelsen ved behandling av prostatakrefte med en LHRH antagonist i hannrotter.

Verken D7 eller D8 benytter nøyaktig den samme LHRH antagonisten som den angitt i foreliggende oppfinnelse, og kravet til nyhet anses derfor som oppfylt for kravene 7 og 8, jf. PL §2.

Derimot er bruken av LHRH antagonister kjent fra de to sist fremtrukne motholdene, D7 og D8. Søker skriver på side 6 i beskrivelsen at "det er nødvendig å undertrykke den endogene hormonproduksjonen (LH-FSH, østrogen) mest mulig fullstendig for samtidig ved giving av eksogen gonadotropin (HMG/HCG) å stimulere follikkelmodningen og samtidig å kontrollere hormonstatusen". Ved å kombinere D7 og D8, synes det opplagt for søker å benytte en LHRH antagonist i behandling av kvinnelig sterilitet, vi kan derfor ikke se at krav 7 oppfyller kravet til oppfinnelseshøyde, jf. PL §2.

Videre ønsker søker å søke beskyttelse for gonadeproteksjon hos mannlige pasienter. Ved forhåndsbehandling av den mannlige pasienten med Cetroreliks-lyofilisat, blir aktiviteten til gonaden understøttet. Andre skadelige midler har da ingen, eller kun små muligheter til å påvirke det skadelige gonadevevet. Både D7 og D8 viser at behandling med LHRH antagonister reduserer tumorveksten hos hannrotter med prostatakrefte. Saksbehandler mener at dette synes overførbart til mennesker, og kravet til oppfinnelseshøyde kan derfor ikke anses som oppfylt for krav 8, jf. PL §2.

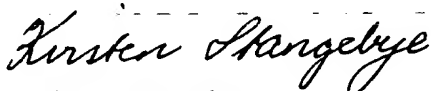
Krav på produkter definert ved en fremgangsmåte for fremstilling, er bare tillatt hvis produktene *som sådanne* oppfyller vilkårene til patenterbarhet, dvs at de er nye og oppfinneriske. Et produkt anses ikke som nytt bare ved at det produseres ved hjelp av en ny fremgangsmåte, jf. PR del C, kapittel III, avsnitt 4.7.

Pålegg

Da kravene 7 og 8 ikke oppfyller kravene til patenterbarhet, ber vi søker stryke disse kravene. Dersom dette oppfylles, synes kravene 1-6 å utgjøre en patenterbar oppfinnelse. Søker bes i så tilfelle om å bringe beskrivelsen i overensstemmelse med kravene, jf. PB § 2-1, og tilrettelegge søknaden for offset trykking.

Da beskrivelsen (dokument 1f) ikke ble returnert fra søker sammen med svaret mottatt 9. januar 2003, ligger det ikke med noen beskrivelse i foreliggende uttalelse.

Med hilsen



Kirsten Stangebye


Marianne Skånseng

Vedlegg : Dok.nr. 12c, Motholdte publikasjoner, Granskningsrapport.

Norwegian Patent Office
Industrial Legal Protection Administration

To: Zacco Norway AS
PO Box 765 Sentrum
0106 Oslo

Administrator tel.
number:
22387516

Response due:¹

Patent applicant:

Our ref.:
19940564/A61K/KL

4 months from
today's date
Zentaris AG

Your ref.: MB/TB
C59787

Date: 4/8/2003

Mailing address: PO Box 8160 Dep.
0033 Oslo

Street address: Københavngaten 10

Telephone: 47 22 38 73 00

Info center: 47 22 38 73 33

Fax: 47 22 38 73 01

E-mail: mail@patentstyret.no

Internet: www.patentstyret.no

Bank giro: 8276 01 00192

Organization number: 971526157 MVA[^]

STATEMENT REGARDING PATENT APPLICATION 1994 0564 (must be included in a response)

We are referring to a response and a new set of claims from the applicant, received on January 9, 2003, where claims 1-6 have been changed to reflect the administrator's comments, and can now be considered patentable, cpr. PL §2.

However, the applicant has not provided a response to our statement regarding claim 8 (previously claim 9), where we assert that the drug for protecting reproductive glands does not constitute a novelty. We have now evaluated this issue again and found two new citations, D7 and D8.

Result of novelty review

D7: A.V. Schally et al., 1987, Prostate Cancer: Research Endocrine Treatment and Histopathology, eds. Murphy et al. (Liss, New York), pp. 173-197.

D8: A.V. Schally et al., 1984, Proc. Soc. Exp. Biol. Med., vol. 175, pp. 259-281.

Evaluation of patentability

It is stated in D7 that antagonistic LHRH analogs can be used for inhibiting prostate carcinomas. This is probably caused by suppression of the plasma concentration in testosterone, but LHRH analogs can also affect tumors directly. Tests on rats showed that treatment with LHRH antagonists reduces tumor growth when compared to the control group. LHRH antagonists also have an interfering effect on the menstrual cycle and inhibit ovulation in women.

¹ The response must be received at the Patent Office by the due date. If the applicant fails to submit a statement or undertake corrective action before the due date, the application will be set aside, but can be considered again, cpr. Patent Act §15 and Fee Rules §15.

Additional information can be found in "Rules regarding document submission and payment of fees to the Industrial Legal Protection Administration". This document can be acquired from the Patent Office's Mail Department.

D8 also discusses the effects of LHRH antagonists, which affect the menstrual cycle, inhibiting ovulation, and prevent increase of LH and FSH hormones in connection with surgical removal of ova from women. Furthermore, tumor size is reduced in male rats when they are treated for prostate cancer using LHRH antagonists.

Neither D7 nor D8 utilize to a satisfactory degree the same LHRH antagonist, as is indicated in this invention, and, thus, the novelty requirement must be considered fulfilled based on claims 7 and 8, cpr. PL §2.

On the other hand, the use of LHRH antagonists is known from the last two citations, D7 and D8. The applicant writes on page 6 of his description that "it is necessary to suppress endogenous hormone production (LH-FSH estrogen) as completely as possible, in order to, while administering exogenous gonadotropin (HMG/HCG), stimulate follicle development and, at the same time, control hormone status". By combining D7 and D8, it appears that the applicant can utilize an LHRH antagonist for the treatment of female sterility, for which reason, we cannot see that claim fulfills the requirement of "invention height", cpr. PL §2.

Furthermore, the applicant wishes to seek protection for gonad protection in male patients. When male patients are pretreated with Cetrorelix-lyophilisate, gonad activity was supported. Thus, other damaging agents have very little to no opportunity to affect the damaging gonad tissue. Both D7 and D8 indicate that treatment with LHRH antagonists reduces tumor growth in male rats suffering from prostate cancer. It is the opinion of the administrator that this seems to be applicable on humans, and that the requirement of "invention height" has not been fulfilled in regard to claim 8, cpr. PL §2.

Requirements on products in regard to their method of production, are only added if the products *as such* fulfill the conditions of patentability, i.e., that they are new and inventive. A product is not considered a novelty just because it is being produced by means of a new method, cpr. PR Part C, Chapter III, Section 4.7.

Addition

Since claims 7 and 8 do not fulfill the requirements on patentability, we request that the applicant remove these claims. If this is done, claims 1-6 appear to constitute a patentable invention. After this, the applicant is requested to take the description of the fulfillment of the set requirements, cpr. PB § 2-1, and the adapted application to offset printing.

Since the description (document 1f) was not returned by the applicant, in connection with the response, received on January 9, 2003, a description is not included in this statement.

Best wishes,

[signature]

Kirsten Stangebye

[signature]

Marianne Skånseng

Attachment: Doc. No. 12c. Cited publications, Review Report.

Japanese search report (translated in German)

Japanische Patentanmeldung Nr. 1994-20532 (105316C)

BESCHEIDSÜBERSETZUNG:

Ausstellungsdatum: 21. Okt. 2003

Zustellungsdatum : 23. Okt. 2003

I. Die angemeldete Erfindung ist in folgenden Vorveröffentlichungen beschrieben bzw. aus diesen leicht herleitbar und daher gemäß Par. 29.1.3 bzw. Par. 29, Absatz 2, PatG nicht schutzfähig:

Zu Anspruch 1:

- 1. JP-OS 61-087695 (= EP 0 175 506) Salk
- 2. JP-OS 63-201199 (= EP 0 277 829) Syntex

Entgegenhaltungen 1 und 2 offenbaren Lyophilisate, dadurch erhältlich, daß ein Peptid mit 3 bis 15 Aminosäuren in Essigsäure extrahiert (d. h. aufgelöst) und anschließend in Wasser überführt und die so erhaltene Lösung lyophilisiert wird.

II. Die angemeldete Erfindung ist aus folgenden Vorveröffentlichungen leicht herleitbar und daher gemäß Par. 29, Absatz 2, PatG nicht schutzfähig:

Obige Entgegenhaltungen 1 und 2 sowie

- 3. JP-OS 05-000963 (= WO 91/16038) Toray
- 4. JP-OS 02-273699
- 5. WO 91/13092 (Ferring AB)
- 6. JP-OS 64-034997 (= EP 0 299 402) Schally Stoffpatent
(= US 4,800, 191) Schally Product patent